

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
NAIM PRYOR and STACEY CRITTENTON	:	VIOLATIONS: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute a controlled substance – 4 Counts) 21 U.S.C. § 846 (Conspiracy to possess with intent to distribute a controlled substance – 1 Count) 18 U.S.C. § 922(g)(1) (Possession of a firearm by a convicted felon – 1 Count) 18 U.S.C. § 924(c) (Using and carrying a firearm in furtherance of a drug- trafficking crime – 1 Count) 18 U.S.C. § 2 (Aiding and abetting – 4 Counts) Notice of Forfeiture Notice of Prior Convic- tion

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

NAIM PRYOR
and
STACEY CRITTENTON

conspired and agreed, together and with other persons known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute: (a) a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance; (b) a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance; (c) a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance; and (d) a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 841(b)(1)(D).

MANNER AND MEANS

It was a part of the conspiracy that:

2. Defendants NAIM PRYOR and STACEY CRITTENTON possessed cocaine base ("crack"), heroin, cocaine, and marijuana for sale. Defendants NAIM PRYOR and STACEY CRITTENTON also possessed quantities of drug-packaging paraphernalia, that is, a hand-held scale, empty plastic packets, and other items used to re-package bulk quantities of drugs into smaller quantities for their street-corner sales.

3. Defendants NAIM PRYOR and STACEY CRITTENTON transported these items in an Acura coupe.

4. Defendant STACEY CRITTENTON used and carried a pager through which prospective drug buyers could contact him.

5. Defendant STACEY CRITTENTON carried, to hand out to prospective drug buyers, small slips of paper that advertised the defendants' drug business by having CRITTENTON'S pager number and the word "SMACC" (a street name for heroin) written on the slips of paper.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania on or about November 29, 2002:

1. Defendants NAIM PRYOR and STACEY CRITTENTON drove an Acura coupe to Market and Salford Streets in Philadelphia.

2. Defendant NAIM PRYOR went into the Blue Nile Bar on Market Street and almost immediately came back outside, along with two males.

3. Defendant NAIM PRYOR entered the driver's side door of the Acura and took out of the car a clear plastic baggie containing smaller objects which appeared to be packets of controlled substances. From the plastic baggie, defendant NAIM PRYOR took one bundle of smaller objects and handed it to one of the males, and several bundles of smaller objects which he gave to the other male, who in turn counted out a large quantity of cash and gave it to defendant NAIM PRYOR. The two males then left.

4. At or near Market and Salford Streets in Philadelphia, defendant NAIM PRYOR put a loaded semi-automatic handgun in the trunk of the Acura coupe.

5. Defendant NAIM PRYOR removed from the trunk of the Acura a plastic baggie, which contained controlled substances, and which was tied at the top in a knot.

6. Defendant STACEY CRITTENTON placed a plastic baggie containing 24 packets of cocaine base ("crack") in a compartment in the Acura's passenger side door.

7. Defendants NAIM PRYOR and STACEY CRITTENTON possessed approximately 9.784 grams of bulk heroin in the trunk of the Acura.

8. Defendants NAIM PRYOR and STACEY CRITTENTON possessed seven packets of heroin inside CRITTENTON'S pocket.

9. Defendants NAIM PRYOR and STACEY CRITTENTON possessed an additional two packets of heroin inside the Acura.

10. Defendants NAIM PRYOR and STACEY CRITTENTON possessed three packets of cocaine inside the Acura.

11. Defendants NAIM PRYOR and STACEY CRITTENTON possessed 28 glass jars containing marijuana inside the trunk of the Acura.

12. Defendant STACEY CRITTENTON possessed a pager and a small piece of folded, lined paper, on which was written "SMACC" (a misspelling of "smack," a street name for heroin) along with his pager number, multiple times.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

NAIM PRYOR
and
STACEY CRITTENTON

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

NAIM PRYOR
and
STACEY CRITTENTON

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

NAIM PRYOR
and
STACEY CRITTENTON

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

NAIM PRYOR
and
STACEY CRITTENTON

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D) and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

NAIM PRYOR,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, an Iberia Firearms model JC 40 caliber Smith & Wesson semi-automatic handgun with an obliterated serial number, which was later restored and determined to be 114183.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 29, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

NAIM PRYOR

knowingly used, and carried a firearm, that is an Iberia Firearms model JC 40 caliber Smith & Wesson semiautomatic handgun with an obliterated serial number, which was later restored and determined to be 114183, during and in relation to a drug-trafficking crime for which he may be prosecuted in a Court of the United States, that is, possession with intent to distribute a controlled substance and conspiracy to possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Sections 841 and 846.

In violation of Title 18, United States Code, Section 924(c)(1).

NOTICE OF PRIOR CONVICTION

THE GRAND JURY FURTHER CHARGES THAT:

Defendant NAIM PRYOR committed the offenses charged in Counts One through Five of this Indictment after having been convicted in a court of the Commonwealth of Pennsylvania of a serious drug offense, as follows:

On or about June 3, 1998, in the Philadelphia Court of Common Pleas, in Philadelphia County, PRYOR was adjudged guilty of manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance, in violation of Title 35 Pa. C.S.A. § 780-113(a)(30), a felony drug offense. (DC 97-19-091771, CP 9801-0592).

On or about April 20, 1998, in the Delaware County Court of Common Pleas, PRYOR was adjudged guilty of manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance, in violation of Title 35 Pa. C.S.A. § 780-113(a)(30), a felony drug offense. (Incident Number 97-41204, Case Record No. 97-4876).

NOTICE OF FORFEITURE

As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1), set forth in Counts Six and Seven of this Indictment, defendant

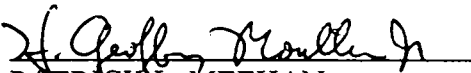
NAIM PRYOR

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of these offenses, including, but not limited to: the Iberia Firearms model JC 40 caliber Smith & Wesson caliber handgun, with an obliterated serial number which was later restored and determined to be 114183, and eight 40 caliber Smith & Wesson cartridges.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

for 
PATRICK L. MEEHAN
United States Attorney

First Assistant U.S. Attorney